

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center
Eighth Floor
San Francisco, CA 94111-3834
(415) 576-0200

Atty. Docket No. 5760-000 09 805813

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Date of Deposit February 26, 1997

PATENT APPLICATION
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Sir:

Transmitted herewith for filing is the ☒ patent application,
☐ continuation-in-part patent application of

By Kevin L. Bastian

Inventors: ICHIRO MITSUHARA; MASAHIRO OHSHIMA; YUKO OHASHI

For: PATHOGEN-RESISTANT PLANTS AND METHOD FOR PRODUCTION THEREOF

☒ This application claims priority from each of the following Application Nos./filing dates:
Japanese appl. No. 8-068809 / March 25, 1996; Japanese appl. No. 8-187763 / July 17, 1996.

Enclosed are:

- ☒ 15 sheet(s) of ☐ formal ☒ informal drawing(s).
- ☒ An assignment of the invention to National Institute of Agrobiological Resources, Ministry of Agriculture, Forestry and Fisheries
- ☒ A ☒ signed ☐ unsigned Declaration & Power of Attorney.
- ☐ A ☐ signed ☐ unsigned Declaration.
- ☐ A Power of Attorney by Assignee with Certificate Under 37 C.F.R. Section 3.73(b).
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 ☐ is enclosed ☐ was filed in the earliest of the above-identified patent application(s).
- ☒ Two certified copies of Japanese priority applications Nos. 8-068809 and 8-187763
- ☒ Preliminary Amendment with Sequence Listing (paper copy and diskette)
- ☒ Statement
- ☒ The filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)
FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	20 -20=	*
INDEP CLAIMS	4 -3=	1
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED		

SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
RATE	FEE		RATE	FEE
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x11=	\$	OR	x22=	\$
x40=	\$	OR	x80=	\$ 80
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* If the difference in Col. 1 is less than zero, enter "0" in Col. 2

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☒ Any additional fees associated with this paper or during the pendency of this application

☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).

☐ A check for \$_____ is enclosed.

2 copies of this sheet are enclosed.

Respectfully submitted,
TOWNSEND and TOWNSEND and CREW LLP

Kevin L. Bastian
Kevin L. Bastian
Reg. No.: 34,774
Attorneys for Applicant

Telephone:
(415) 576-0200

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PATENT

Attorney Docket No. 085760-000000US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)

Mitsuhara *et al.*)

Serial No.: 08/805,813)

Filed: February 26, 1997)

For: PATHOGEN-RESISTANT PLANTS)
AND METHOD FOR PRODUCTION)
THEREOF)

Examiner: Not yet assigned

Art Unit: 1803

RESPONSE TO
NOTICE TO FILE MISSING PARTS
OF APPLICATION
AND
NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING
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AMINO ACID SEQUENCE
DISCLOSURES

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Assistant Commissioner for Patents

Washington, D.C. 20231

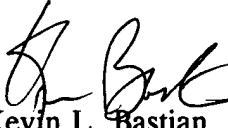
Sir:

In accordance with a telephone conversation with the Customer Service Center, Initial Patent Examination Division at (703) 308-1202 on July 18, 1997, it will be fully responsive to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825, that accompanied the Notice to File Missing Parts of Application mailed June 4, 1997, to submit herewith the attached 1) Part 2 - Copy to be Returned With Response of the Notice to File Missing Parts of Application; 2) copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures; 3) copy of the Patent Application Filing Acknowledgment postcard, with the Express Mail receipt number; 4) copies of the Express Mail receipt and the returned Patent Application Filing Acknowledgment postcard, with the USPTO receipt stamp and application serial number.

Attached, for the convenience of the Office, are copies of 5) the Statement letter; 6) the Preliminary Amendment; 7) a photocopy of our file copy of the Sequence Listing diskette, similar to the USPTO diskette; and 8) a copy of the paper copy of the Sequence Listing, as filed by Certificate of Mailing on February 26, 1997. Also included, for the convenience of the Office, is 9) the Filing Receipt for application 08/805,813 with the filing date of February 26, 1997.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 576-0200.

Respectfully submitted,


Kevin L. Bastian
Reg. No. 34,774

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center
Eighth Floor
San Francisco, California 94111-3834

(415) 576-0200

KLB:dmw

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File No. 85760

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LABEL 11-F 5/93

**PATENT APPLICATION
FILING ACKNOWLEDGMENT**

Mailing Date: February 26, 1997

File No.: 85760 Attorney: KLB/dgk

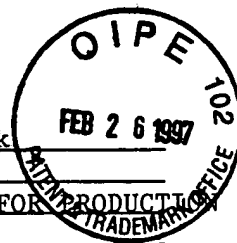
Inventor(s): Ichiro Mitsuahara, et al.

Title: PATHOGEN-RESISTANT PLANTS AND METHOD FOR PRODUCTION THEREOF

☐ Declaration ☐ Power of Attorney
☒ Combined Declaration & Power of Attorney
☒ Assignment ☐ Small Entity Decl.

No. Pages of Description: 35
No. Pages of Appendix: 3
No. Pages of Claims: 1
No. Pages of Abstract: 15
No. Sheets of Drawings: 15
Microfiche Appendix: 15

805813
Transmittal letter; Form PTO
1595; Preliminary Amendment;
Sequence listing (paper copy,
diskette); Statement; 2
priority documents



Please stamp the date of receipt of the enclosed documents and return this card to addressee

FILING RECEIPT



085760-00000045
UNITED STATES DEPARTMENT OF COMMERCE
Pat nt and Trad mark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washingt n, D.C. 20231
KLB

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
08/805,813	02/26/97	1803	\$850.00	085760-000	15	20	4

WILLIAM M SMITH
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO CA 94111-3834

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s) ICHIRO MITSUHARA, TSUKUBA-SHI, JAPAN; MASAHIRO OHSHIMA,
TSUKUBA-SHI, JAPAN; YUKO OHASHI, TSUKUBA-SHI, JAPAN.

FOREIGN/PCT APPLICATIONS-JAPAN
JAPAN

8-068809
8-187763

03/25/96
07/17/96

TITLE
PATHOGEN-RESISTANT PLANTS AND METHOD FOR PRODUCTION THEREOF

PRELIMINARY CLASS: 800

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